

LAUSTEVEION JOHNSON
Name and Inmate Booking Number

NMCC
Place of Confinement

1721 E. Snyder Ave.
Mailing Address

Carson City, NV. 89701
City, State, Zip Code

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAUSTEVEION JOHNSON,
Plaintiff

vs.

(1) A. SHOOTING,
(2) RICHARD ASHCRAFT,
(3) V. MEZA,
(4) RYNERSON,
(5) FERNANDEZ,
Defendant(s).

Case No. 3:22-cv-00297-ART-CSD
(To be supplied by Clerk of Court)

CIVIL RIGHTS COMPLAINT
BY AN INMATE

- ☐ Original Complaint
☒ First Amended Complaint
☐ Second Amended Complaint

☒ Jury Trial Demanded

A. JURISDICTION

- 1) This Court has jurisdiction over this action pursuant to:
☒ 28 U.S.C. § 1343(a)(3); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971)
☐ Other: _____
- 2) Institution/city where Plaintiff currently resides: NMCC
- 3) Institution/city where violation(s) occurred: NMCC

LIST OF DEFENDANTS

1. A. SHOOTING
2. CORNFELD, Counselor
3. KIRK WIDMAR, Warden
4. RICHARD ASHCRAFT, Lt
5. V. MEZA, Caseworker,
6. RYNGERSON, C/s.
7. FERNANDEZ, C/s.
8. HOLLOWAY, C/s.
9. SUWE, C/s.
10. TRAVIS FRATIS, Sgt
11. CHARLES DANIELS, Director NDC,
12. D. GREGGON
13. JOHN DOE, C/s.
14.

J-A

B. DEFENDANTS

1. Name of first Defendant: A. SHUTTING. The first Defendant is employed as:
Chen at UNCC.
(Position of Title) (Institution)
2. Name of second Defendant: Conradfield. The second Defendant is employed as:
Counselor at UNCC.
(Position of Title) (Institution)
3. Name of third Defendant: Kirk Widmar. The third Defendant is employed as:
Warden at UNCC.
(Position of Title) (Institution)
4. Name of fourth Defendant: Charles Daniels. The fourth Defendant is employed as:
Director at UNCC.
(Position of Title) (Institution)
5. Name of fifth Defendant: June. The fifth Defendant is employed as:
CP. at UNCC.
(Position of Title) (Institution)

If you name more than five Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. NATURE OF THE CASE

Briefly state the background of your case.

- 1) Plaintiff, Laurence Johnson, is a prison Agent, who is currently confined at UNCC. He is suing all named defendants herein in both their individual ~~and~~ official capacities. All violations alleged herein, occurred while Plaintiff was housed at UNCC (Warm Springs Correctional Center).
- 2) On 11/10/21 Defendants Conradfield, Widmar, Ashcraft, Meza, Gregoire, Ryerson, Fernandez, Holloway, Seavey, sent Plaintiff to The Hole and stole/never returned Plaintiff's following property items, 5 deodorants, Prayer Rug, Lamp, 4 bags of coffee, 40 stamps,

2 Cable Cords, 4 Petroleum Jellies, 40 bags of peanuts, out of Retraction in the Emergency Grievance that Plaintiff filed on 11/10/21.

- 3) A John Doe, Tower Officer shot at Plaintiff on 11/02/21 at 9:37 at WSCC in front of unit 4-B, admittedly because ~~the~~ the grievance Plaintiff filed on 11/10/21 and every week from 10/10/21 — 11/02/21. Plaintiff, after being shot at, turned and asked "why he (John Doe) shot?" And it said, "stop filing grievances?" that referring to Plaintiff's filing grievances, as to why he shot at Plaintiff.
- 4) Defendants transferred Plaintiff from WSCC to WSCC out of Retraction in the grievance that Plaintiff filed every week from 10/10/21 — 11/2/21. This because from around 10/10/21 — December 1st, 2021 Cornfield, Ashcroft, Meza, Rynerson, Fernandez, Holloway, Sene, Froto, and Gregoire expressed that "They did not want Plaintiff on the yard (at that prison - WSCC) because of all of the grievances that he filed every week."

D. CAUSE(S) OF ACTION

CLAIM 1

1. State the constitutional or other federal civil right that was violated: 1st Amendment of The U.S. Constitution - Retaliation and Conspiracy to Retaliate.

2. **Claim 1.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | |
|---|---|---|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Medical care | <input type="checkbox"/> Mail |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Property |
| <input type="checkbox"/> Access to the court | <input type="checkbox"/> Excessive force by officer | <input checked="" type="checkbox"/> Retaliation |
| <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Date(s) or date range** of when the violation occurred: 11/10/21

4. **Supporting Facts:** State as briefly as possible the FACTS supporting Claim 1. Describe exactly what **each specific defendant (by name)** did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

5) Plaintiff realleges and incorporates by reference, all allegations made in paragraphs 1-4 as if fully realleged hereby.

6) Defendants Cornfield, Widmar, Scheratt, Meza, Ryerson, Gregoire, Fernandez, Holloway, Suwe, Fratis and Daniels all Violated the 1st Amendment by 'Retaliating' and by 'Conspiring to Retaliate' in the following ways:

1) by Sending Plaintiff to the Hole on 11/10/21.

2) by taking all of Plaintiff's property on 11/10/21.

3) By destroying/never returning Plaintiff's 5-dollar dignity, Prayer Rug, Lamp, 4 bags of coffee, 40 stamps, 2 Cable Cards, 4 Petalium Jellys, 40 bags of peanuts, all out of Retaliation for Plaintiff filing a grievance against them on 11/10/21.

7) Defendant John Doe c/o, Daniels, Widmar, Scheratt, Meza, and Gregoire, all Violated the 1st by 'Retaliating' and 'Conspiring to Retaliate' by shooting a Gun at Plaintiff on 11/20/21 at 9:31 A.M., in Retaliation for all of the grievances that Plaintiff filed against these defendants every week from 10/5/21 - 11/20/21.

These grievances that Plaintiff is referring to were grievances filed against these Defendants, regarding them threatening to send drugs in Plaintiff's names to get him thrown out of WSCC, about these defendants writing false notice of charges against Plaintiff in Plaintiff's physical disability of not being able to engage in certain physical activities, about these defendants trying to get white racist groups to physically assault him. These defendants repeatedly told Plaintiff from 10/1/21 — 12/1/21 that they wanted to get Plaintiff off of the yard cause of his grievances, and Plaintiff being a Black leader at WSCC.

When the John Doe Co. shot the gun at Plaintiff on 11/22/21, Plaintiff's asked John Doe Co. "why he shot at him", and they responded with, "Stop filing grievances," thereby referring to his filing of grievances, as his retaliatory motive.

8.) Defendants Courtfield, Widmar, Ashcroft, Meza, Pyneason, Fernandez, Holloway, Sene, Fretts, Daniels, Gregorie, and John Doe Co. all Retaliated and Conspired to Retaliate by transferring Plaintiff from WSCC to MVCC on 12/1/21, out of Retaliation for Plaintiff's weekly grievances filed every week from 10/5/21 — 12/1/21. Plaintiff defendants expressed, starting from 10/5/21, that they wanted Plaintiff off that yard (out of WSCC prison) because of all of his grievances.

CLAIM 2

1. State the constitutional or other federal civil right that was violated: 8TH Amendment of The U.S. Constitution EXCESSIVE FORCE, Supervisory Liability, Deliberate Indifference

2. **Claim 2.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | |
|---|--|--------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Medical care | <input type="checkbox"/> Mail |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Property |
| <input type="checkbox"/> Access to the court | <input checked="" type="checkbox"/> Excessive force by officer | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. Date(s) or date range of when the violation occurred: 11/22/21

4. **Supporting Facts:** State as briefly as possible the FACTS supporting Claim 2. Describe exactly what each specific defendant (by name) did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

9.) Plaintiff redleges and incorporates by reference, all allegations made in paragraphs 1-8, as it fully redleges herein

10.) Defendant John Doe Co. Violated the 8TH Amendment by using Excessive Force, by Shooting a Fire Arm/shotgun at Plaintiff on 11/22/21 without justification, while Plaintiff was in shackles.

11.) Defendant John Doe Co., Violated the 8TH Amendment Deliberate Indifference, by Recklessly firing a Gun at Plaintiff knowing that it could severely injure or kill Plaintiff. And this John Doe Co. fired this Gun without cause or justification.

12.) Defendants Widmar, Ashcroft, Donnels, Violated the 8TH Amendment by failure or Refusing to (1) Adequately Hire (2) to adequately train SVSAC staff on Use of force practices as it relates to firearms and allow not to use the guns as a weapon for Retaliation, which leads to John Doe Co. Shooting at Plaintiff on 11/22/21, out of Retaliation for his grievances.

CLAIM 3

1. State the constitutional or other federal civil right that was violated: _____

2. **Claim 3.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

| | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Medical care | <input type="checkbox"/> Mail |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Property |
| <input type="checkbox"/> Access to the court | <input type="checkbox"/> Excessive force by officer | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |
3. **Date(s) or date range** of when the violation occurred: _____
4. **Supporting Facts:** State as briefly as possible the **FACTS** supporting Claim 3. Describe exactly what **each specific defendant (by name)** did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

If you assert more than three claims, answer the questions listed above for each additional claim on a separate page.

E. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while incarcerated? ☒ Yes ☐ No
2. Has this Court or any other court designated you as subject to "three strikes" under 28 U.S.C. § 1915(g)? ☐ Yes ☒ No
3. If you have "three strikes" under 28 U.S.C. § 1915(g), does this complaint demonstrate that you are "under imminent danger of serious physical injury?" ☐ Yes ☐ No *N/A*

F. REQUEST FOR RELIEF

I believe I am entitled to the following relief: *1) \$80,000.00 in Compensatory Damages, 2) \$80,000.00 in Punitive Damages, 3) \$80,000.00 in Mental and Emotional Damages, 4) All out of pocket expenses, 5) Attorney fees.*

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

(name of person who prepared or helped
prepare this complaint if not the plaintiff)

[Signature]

(signature of plaintiff)

8/20/22

(date)

ADDITIONAL PAGES

You must answer all questions concisely in the proper space on the form. Your complaint may not be more than 30 pages long. It is not necessary to attach exhibits or affidavits to the complaint or any amended complaint. Rather, the complaint or any amended complaint must sufficiently state the facts and claims without reference to exhibits or affidavits. If you need to file a complaint that is more than 30 pages long, you must file a motion seeking permission to exceed the page limit and explain the reasons that support the need to exceed 30 pages in length.